

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

**EDGAR BERRIOS, RAYMOND ALLYNE,
MALCOLM MACCOW, and VIRGINIE GEORGE,**

Plaintiffs,

v.

**HOVIC; HOVENSA, LLC; JOHN PAULUS; DARYL
KRAMER, TODD REIDLINGER, JACOBS
INDUSTRIAL MAINTENANCE COMPANY, LLC;
WYATT V.I., INC.; JACOBS CONSTRUCTORS,
INC.; JACOBS ENGINEERING GROUP, LLC; and
WYATT FIELD SERVICE COMPANY,
Defendants.**

2005-CV-0192

**TO: Lee J. Rohn, Esq.
Linda J. Blair, Esq.
Stephanie L. Adler, Esq.
Charles E. Engeman, Esq.**

ORDER DENYING PLAINTIFFS' MOTION FOR SANCTIONS

THIS MATTER is before the Court upon Plaintiffs' Motion For Sanctions Against Wyatt International, Inc. (Docket No. 250). Defendant Wyatt V.I., Inc., filed an opposition to said motion. The time for filing a reply has expired.

As Defendant Wyatt VI, Inc., notes, the motion states that Plaintiff is seeking sanctions against Wyatt International, Inc., which is not a party to this matter. The Court

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will proceed with the understanding that Plaintiff intended to seek sanctions against Defendant Wyatt VI, Inc.

Having reviewed the motion and opposition, the Court finds that said Defendant did not "fail to produce an individual who could provide responsive testimony to Plaintiff's Rule 30(b)(6) deposition notice," as alleged by Plaintiff in its motion at page 3.

Moreover, said Defendant has stated that it would make Todd Riedlinger available in the event Plaintiff desires to depose Todd Riedlinger regarding the discovery responses that said Defendant provided pursuant to this Court's Order Regarding Plaintiff's Motion to Compel Defendant Wyatt V.I. (Docket No. 251), entered January 28, 2009. Opposition at 7. Consequently, the Court finds that sanctions are not warranted at this time.

Accordingly, it is now hereby **ORDERED** that Plaintiffs' Motion For Sanctions Against Wyatt International, Inc. (Docket No. 250) is **DENIED**.

ENTER:

Dated: February 25, 2009

/s/ George W. Cannon, Jr.
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE